

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ESSAL INC,

Plaintiff,

v.

DELTA DESIGN INC,

Defendant.

No. C 13-02356 JSW

**ORDER RE MOTION TO  
DISMISS**

On August 13, 2013, the Court granted the parties' stipulation to continue the case management conference. In that Order, the Court directed Defendant to re-notice its motion to dismiss to an open and available date on this Court's calendar. On July 19, 2013, this Court's staff also had directed Defendant to re-notice the motion.

To date, Defendant still has not re-noticed the motion. If Defendant has not re-noticed the motion to dismiss by August 28, 2013 to an open and available date on this Court's calendar, the Court shall deny the motion without prejudice.

**IT IS SO ORDERED.**

Dated: August 21, 2013

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE